ITU

。			Appr	oved for use	PTO/SB/21 (09-04) through 07/31/2006. OMB 0651-0031	
Lawer the Paperwo	ork Reduction Act of 1995, no pe	U.S. F rsons are required to respond to a col	Patent and Trader	mark Office; I	J.S. DEPARTMENT OF COMMERCE displays a valid OMB control number.	
WELL ST.		Application Number	10/774,6	64		
TRAN	NSMITTAL	Filing Date	02/09/20	02/09/2004		
F	FORM	First Named Inventor	Charles .	OW		
		Art Unit	3732			
(to be used for all co	orrespondence after initial filing)	Examiner Name				
Total Number of Page	es in This Submission	Attorney Docket Number	KLYC-01	1		
	El	NCLOSURES (Check all	that apply)			
Amendment/F After F Affidat Extension of T Express Aban Information Di Certified Copy Document(s) Reply to Missi Incomplete Ap Reply	ttached Reply Final vits/declaration(s) Time Request adonment Request isclosure Statement y of Priority Re Reply Reply	Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocatio Change of Correspondence A Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CE	Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please Identication): Copy of European Search Report		peals and Interferences al Communication to TC al Notice, Brief, Reply Brief) etary Information Letter Enclosure(s) (please Identify):	
	SIGNATUR	E OF APPLICANT, ATTO	RNEY, OR A	AGENT		
Firm Name F	Fliesler Meyer LLP Customer No. 23910					
Signature William						
Printed name Michael L. Robbins						
Date 11/29/04 Reg. No. 54,774						
	CERTI	FICATE OF TRANSMISS	ON/MAILIN	G		
I hereby certify that th sufficient postage as f the date shown below	is correspondence is being fa first class mail in an envelope	acsimile transmitted to the USPT addressed to: Commissioner for	O or deposited	with the Un	ited States Postal Service with Alexandria, VA 22313-1450 on	
Signature	WHIER	<u> </u>	· · · · · · · · · · · · · · · · · · ·			
Typed or printed name	e Michael L. Rob	bins		Date	11/23/04	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s):

Charles J. Winslow et al.

Appl. No.:

10/774,664 Confirm. No.: 9446

Filed:

February 9, 2004

Title:

SYSTEM AND METHOD FOR

IMMOBILIZING ADJACENT SPINOUS

PROCESSES

PATENT APPLICATION

Art Unit:

3732

Examiner:

unassigned

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November **49**, 2004.

(Attorney Signature)

Michael L. Robbins, Reg. No. 54,774 Signature Date: November 29, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

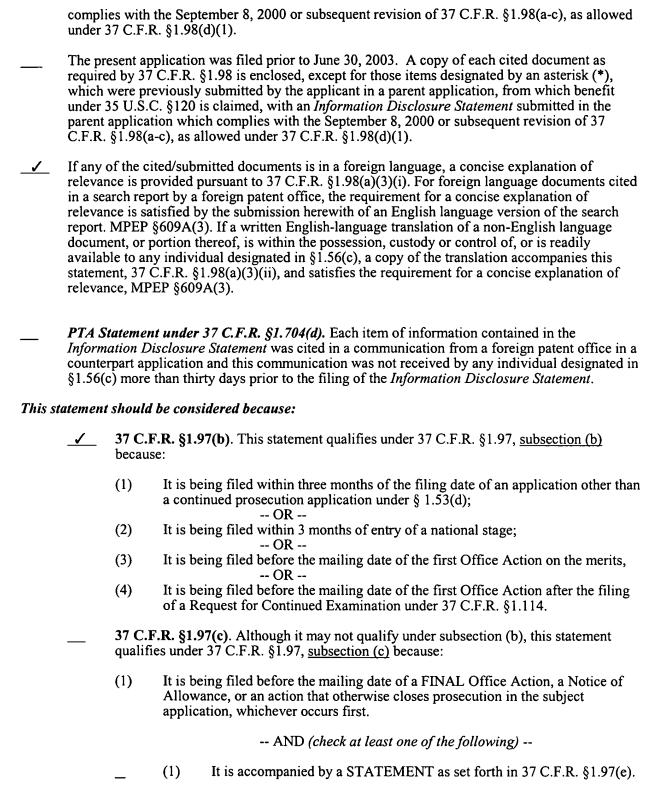
Enclosed with this statement are the following:

Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.

The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an Information Disclosure Statement submitted in the parent application which

Attorney Docket No.: KLYC -01086US1 Mrobbins/KYLC01086US1 IDS.doc

104.001:123103 11/29/04-15:53



(Substitute) PATENT AND TRADEMARK OFFICE KLYC-01086US1 10/774,664 Information Disclosure Statement BY APPLICANT (Use several sheets if necessary) Applicant/Patent Owner Charles J. Winslow et al.						
BY APPLICANT (Use several sheets if necessary), Applicant/Patent Owner						
BY APPLICANT (Use several sheets if necessary), Applicant/Patent Owner						
Applicant/Patent Owner						
$I \hookrightarrow I \hookrightarrow$						
DEC 0 2 2004 Filing/Issue Date Group Art Unit						
February 9, 2004 3732						
U.S. PATENTS						
Examiner First Named Inventor First Named	Filing Date					
Initial Tatelit Number Issue Date Trist Named Inventor Class Subclass						
U.S. PATENT PUBLICATIONS						
Examiner Patent Application Publication Number Publication Date Applicant Initial						
Initial						
PENDING U.S. PATENT APPLICATIONS						
	Petition to					
Examiner Application Number Filing Date First Named Inventor	Expunge?					
Initial	Yes No					

	FOREIGN PATENT DOCUMENTS							
Examine r Initial	1.	Document Number	Publication Date	Country	Class	Subclass	Trans- <u>lation</u> Yes No	
		FR 2724554		France	A61B		1	
	2.	FR 2722088	01/12/1996	France	A61B	17/70	1	
	3.	FR 2705227	11/25/1994	France	A61F	2/44, 2/46	1	_
	4.	GB 780652	08/07/1957	Great Britain	A61F		1	

OTHER DOCUMENTS (Include author (if any), ti	tle, publisher and place of publication, date and pertinent pages)				
<u>Examiner</u>	<u>Date Considered</u>				
*EXAMINER: Initial if citation considered, whether or not citation is conformance and not considered. Include copy of this form with next					
*1 = Copy not submitted because it was submitted in prior application *2 = Copy not submitted because it was submitted in prior application					

		(2)	OR It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).
		(2)	it is accompanied by the \$100 fee set forth in 37 C.1 .R. \$1.17(p).
			97(d). Although it may not qualify under subsection (b) or (c), this ifies under 37 C.F.R. §1.97, subsection (d) because:
	(1)	It is be	eing filed on or before payment of the Issue Fce; AND
	(2)	It is ac	ecompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
	(3)	It is ac	ecompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).
<u> </u>	erpayme		he Commissioner is hereby authorized to charge any deficiencies or credit eposit Account No. 06-1325. A duplicate copy of this authorization is
			Respectfully submitted,
			FLIESLER MEYER LLP

Michael L. Robbins Reg. No. 54,774

By: __

Customer No. 23910 FLIESLER MEYER LLP Four Embarcadero Center, Fourth Floor San Francisco, California 94111-4156 Telephone (415) 362-3800

Date:____

- 3 -